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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12 WILLIAM EDWARDS, ROBERT
13 JACKSON, JAMES BROOKS, and
14 KYSER WILSON on behalf of
themselves and others similarly
situated,

15 Plaintiff,

16 v.

17 LEADERS IN COMMUNITY
18 ALTERNATIVES, INC.,
SUPERCOM, INC., LINDA
CONNELLY, DIANE
HARRINGTON, KENT
BOROWICK, RAELENE RIVAS,
JEANETTE ARGUELLO-RAMOS,
BELINDA DOE, DOES 1-10,
inclusive,

22 ALAMEDA COUNTY, WYNNE
CARVILL, and WENDY STILL,

23 Defendants.

Case No. 3:18-cv-04609-JSC

**[PROPOSED] ORDER GRANTING
DEFENDANTS LEADERS IN
COMMUNITY ALTERNATIVES,
INC., SUPERCOM INC., LINDA
CONNELLY, DIANE
HARRINGTON, KENT
BOROWICK, RAELENE RIVAS,
JEANETTE ARGUELLO-RAMOS'
MOTION TO DISMISS
PLAINTIFFS' COMPLAINT
PURSUANT TO F.R.C.P. RULE
12(b)(1) AND 12(b)(6)**

25 Defendants LEADERS IN COMMUNITY ALTERNATIVES, INC.,
26 SUPERCOM, INC., LINDA CONNELLY, DIANE HARRINGTON, KENT
27 BOROWICK, RAELENE RIVAS, and JEANETTE ARGUELLO-RAMOS'
28 Motion to Dismiss Plaintiffs' Complaint came on regularly before this Court. The

1 Court having read and duly considered the moving, opposing, and reply documents,
2 and having duly considered all evidence and argument presented in connection
3 therewith, the Court hereby grants Defendants' Motion to Dismiss on the following
4 grounds:

- 5 1. The Court abstains from this case based on the *Younger* doctrine.
- 6 2. Plaintiffs lack Article III standing to seek injunctive relief.
- 7 3. Plaintiffs fail to allege sufficient facts against the individual defendants
8 to support a claim in violation of The Federal Racketeer Influenced
9 and Corrupt Organizations Act ("RICO").
- 10 4. Plaintiffs' claims are barred by quasi-judicial immunity and the
11 litigation privilege.
- 12 5. Plaintiffs fail to allege predicate acts necessary to state a RICO claim.
- 13 6. Plaintiffs cannot bring Fourteenth Amendment Due Process or Equal
14 Protection Claims against LCA and its employees because they did not
15 act under color of law.
- 16 7. Plaintiffs fail to allege sufficient facts to state a claim for violation of
17 due process under the Fourteenth Amendment.
- 18 8. Plaintiffs fail to allege sufficient facts to state a claim for equal
19 protection under the Fourteenth Amendment.
- 20 9. Plaintiffs fail to state a claim for abuse of process.

21
22 IT IS SO ORDERED.

23
24 Dated: _____

25 Honorable William Alsup
26 United States District Court Judge

27
28 Respectfully Submitted,

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8 Attorneys for Defendants

9 LEADERS IN COMMUNITY ALTERNATIVES, INC., SUPERCOM, INC.,
10 LINDA CONNELLY, DIANE HARRINGTON, KENT BOROWICK, RAELENE
11 RIVAS, JEANETTE ARGUELLO-RAMOS

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